

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ALFRED CHAVIRA	§	
	§	
VS.	§	CIVIL ACTION NO. 5:16-cv-00387-FB
	§	
COINMACH; COINMACH CORPORATION;	§	
COIN MACHINE INDUSTRIES CORPORATION	§	
OF TEXAS; CSC SERVICEWORKS, INC.;	§	
AIR-SERV GROUP, LLC; AIR-SERV;	§	
MURPHY USA INC.; MURPHY OIL USA, INC.;	§	
MURPHY OIL CORPORATION; WAL-MART	§	
STORES, INC.; WAL-MART STORES TEXAS, LP	§	
And WAL-MART STORES TEXAS, LLP.	§	

PLAINTIFF'S INITIAL DISCLOSURES TO DEFENDANTS
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To: WAL-MART
By and Through Their Attorneys of Record:
Mr. Paul Garcia
Ms. Martina Meritz
Ms. Krishna Reddy
PAUL GARCIA & ASSOCIATES
4801 N.W. Loop 410, Suite 525
San Antonio, TX 78229
(210) 340-1818; Telephone
(210) 340-4073; Facsimile
ATTORNEYS FOR DEFENDANT
WAL-MART

Now comes Plaintiff, ALFRED CHAVIRA, and provides the following initial disclosures to Defendants pursuant to Federal Rule of Civil Procedure 26.

Respectfully submitted,

LAW OFFICES OF FIDEL RODRIGUEZ, JR.
111 Soledad, Suite 1300
San Antonio, Texas 78205
(210) 224-1057; Telephone
(210) 224-0533; Facsimile

BY: /S/ RAUL B. RODRIGUEZ
FIDEL RODRIGUEZ, JR.
State Bar No. 17145500
fidel@fidrodlaw.com
RAUL B. RODRIGUEZ
State Bar No. 24049475
rrodriguez@fidrodlaw.com
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served upon counsels of record on this the 19th day of August, 2016, as follows:

Mr. Paul Garcia	_____	certified mail, return receipt requested
Ms. Martina Meritz	<u> x </u> _____	facsimile
Ms. Krishna Reddy	_____	hand delivery
PAUL GARCIA & ASSOCIATES	_____	first class mail
4801 N.W. Loop 410, Suite 525	_____	Email
San Antonio, TX 78229		
(210) 340-1818; Telephone		
(210) 340-4073; Facsimile		
ATTORNEYS FOR DEFENDANT		
WAL-MART		

Mr. D. Douglas Mena	_____	certified mail, return receipt requested
Mr. Rick Gibson	<u> x </u> _____	facsimile
LITCHEFIELD CAVO, L.L.P.	_____	hand delivery
One Riverway, Suite 1000	_____	first class mail
Houston, Texas Suite 1000	_____	Email
(713) 418-2000; Telephone		
(713) 418-2001; Facsimile		
ATTORNEYS FOR DEFENDANTS,		
CSC SERVICEWORKS, INC. AND		
COINMACH CORPORATION, now known as		
CSC SERVICEWORKS, INC.		

/S/ RAUL B. RODRIGUEZ
RAUL B. RODRIGUEZ

INITIAL DISCLOSURES

- A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses and the subjects of the information, unless solely for impeachment.

RESPONSE:

Alfred Chavira 9605 US Hwy 90 Lot #252 San Antonio, Texas 78245 (210) 209-0287	Plaintiff
WAL-MART c/o its attorneys of record, Mr. Paul Garcia Ms. Martina Meritz Ms. Krishna Reddy PAUL GARCIA & ASSOCIATES 4801 N.W. Loop 410, Suite 525 San Antonio, TX 78229 (210) 340-1818; Telephone (210) 340-4073; Facsimile	Defendant
CSC SERVIEWWORKS, INC. AND COINMACH CORPORATION, now known as CSC SERVICEWORKS, INC. c/o its attorneys of record, Mr. D. Douglas Mena Mr. Rick Gibson LITCHEFIELD CAVO, L.L.P. One Riverway, Suite 1000 Houston, Texas Suite 1000 (713) 418-2000; Telephone (713) 418-2001; Facsimile	Defendants
Mary Chavira 9605 US Hwy 90 Lot #252 San Antonio, Texas 78245 (210) 209-0287	Wife of Plaintiff

Matthew Chavira 9605 US Hwy 90 Lot #252 San Antonio, Texas 78245 (210) 209-0287	Son of Plaintiff/Witness
Tejano ER Physicans And its Custodian of Records P.O. Box 98608 Las Vegas, NV 89193-8608 800-355-2470	Plaintiff's healthcare provider
Christus Santa Rosa Hospital- Westover Hills And its Custodian of Records 1212 TX-151 San Antonio, TX 78251 (210) 703-8000	Plaintiff's healthcare provider
Hugo Alonzo Rojas, MD And its Custodian of Records 2115 Pleasanton Rd, Suite 205 San Antonio, Texas 78221-1300 Telephone: (210)922-3627	Plaintiff's healthcare provider
River City Imaging Associates And its Custodian of Records P.O. Box 10270 Longview, Texas 75608 800-318-5578	Plaintiff's healthcare provider
Hill Drug Store And his Custodian of Records 705 W. Kirk Place San Antonio, Texas 78226 (210)225-7283	Plaintiff's healthcare provider

Atlas Chiropractic And its Custodian of Records 1305 SW Loop 410 #227 San Antonio, Texas 78227 (210)927-0000	Plaintiff's healthcare provider
Advanced MRI Imaging of San Antonio And its Custodian of Records 150 Manchester Way Shavano Park, Texas 78249 (210)382-8988	Plaintiff's healthcare provider
Premier Medical Imaging And its Custodian of Records 2115 Pleasanton Rd, Suite 102 San Antonio, Texas 78221 (210)922-0016	Plaintiff's healthcare provider
Permian Premier Health Services Inc. And its Custodian of Records P.O. Box 277719 Atlanta, GA 30384-7719	Plaintiff's healthcare provider
Gerardo Zavala MD And its Custodian of Records 4423 NW Loop 410, Suite 100 San Antonio, Texas 78229 (210)541-9898	Plaintiff's healthcare provider
University Hospital And its Custodian of Records 4502 Medical Drive San Antonio, Texas 78229 (210)358-4000	Plaintiff's healthcare provider

Ahmed Shakir MD UT Neurosurgery And its Custodian of Records 7703 Floyd Curl Dr. MC 7843 San Antonio, Texas 78229 (210)358-2500	Plaintiff's healthcare provider
Anil K Dutta MD Orthopaedics And its Custodian of Records 8300 Floyd Curl Dr. #4 San Antonio, Texas 78229 (210)450-9300	Plaintiff's healthcare provider
Mohammad A. Mughal MD And its Custodian of Records 2121 SW 36 th St. San Antonio, Texas 78237 (210)358-5100	Plaintiff's healthcare provider

- B. A copy of, or a description by category and location, of all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

RESPONSE:

Plaintiff's counsel has the following documents and tangible things available for copying upon request of counsel:

1. Plaintiff's medical records and bills resulting from this collision.

As discovery has just begun, Plaintiff reserves the right to supplement in accordance with the Federal Rules of Civil Procedure.

- C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Plaintiff is claiming damages for the following:

1. Medical Expenses (past and future);
2. Physical Impairment (past and future);
3. Pain and Suffering (past and future);
4. Mental Anguish (past and future); and
5. Disfigurement (past and future).

The method for calculating damages for past medical expenses is by reference to the medical and health care providers' bills and invoices. Copies of such bills and invoices have been previously provided to Defendant.

There is no set method under Texas law for calculating damages for future medical expenses, and the jury will be free to arrive at an amount based on the jury's consideration of the injuries, the medical records, medical reports, and medical bills. Plaintiff will ask the jury to consider the testimony of Plaintiff's treating medical providers regarding any potential future treatment.

Plaintiff's loss of earning capacity will be determined by taking into account the amount of disability and/or impairment suffered by Plaintiff after the incident. Plaintiff's loss of earning capacity is not yet fully determined. Plaintiff will supplement this response as to an amount at the appropriate time.

Plaintiff, will provide testimony as to the physical impairment, pain and suffering, and mental anguish. These damages are not yet fully determined and Plaintiff will supplement this response at the appropriate time.

- D. For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

RESPONSE:

None.